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PTO/SB/05 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**UTILITY**

**PATENT APPLICATION**

**TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **X-12149B**

First Named Inventor or Application Identifier

David Bleakman

Express Mail Label No.

**Application Elements**

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents  
Mail Stop Patent Application  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (Submit an original, and a duplicate for fee processing)

2. ☒ Specification [Total Pages **33**]  
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the invention
- Brief Summary of the invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claims

- Abstract of the Disclosure

3. ☐ Drawing(s) (35 USC 113) [Total Sheets ☐

4. ☐ Oath or Declaration [Total Pages ☐

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]

i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. ☒ Incorporation By Reference (useable if Box 4b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☐ Computer Readable Copy

b. ☐ Paper Copy (identical to computer copy)

c. ☐ Statement verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

8. ☐ Assignment Papers (cover sheet & document(s))

9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney

10. ☐ English Translation Document (if applicable)

11. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

12. ☒ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

14. ☐ Small Entity Statement(s) ☐ Statement filed in prior application, Status still proper and desired

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☒ Other: Amendment and Petition to Correct Inventorship

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. **10/383,296**

**18. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code Label

(Insert Customer No. Or Attach bar code label here)

or

Correspondence address below

**Eli Lilly and Company**

**ADDRESS**

Patent Division  
P.O. Box 6288



**25885**

PATENT TRADEMARK OFFICE

CITY Indianapolis STATE Indiana ZIP CODE 46206-6288

COUNTRY U.S.A. TELEPHONE 317-277-0190 FAX 317-276-3861

**SUBMITTED BY**

Typed or Printed Name Alexander Wilson

Signature *Alexander Wilson*

Complete (if applicable)

Reg. Number 45,782

Date 08 April 2004

"Express Mail" mailing label number 4-09-04 EL83289521445  
Date of Deposit

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*Queen Thomas*  
Printed Name

*Queen Thomas*  
Signature

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PTO/SB/17 (12/97)

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# FEE TRANSMITTAL

Note: Effective November 10, 1997.

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$770.00)

METHOD OF PAYMENT (check one)

☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number  
Deposit  
Account Name

05-0840

Eli Lilly and Company

☒

Charge Any  
Additional Fee  
Required Under  
37 CFR 1.16 and  
1.17

☐

Charge the Issue Fee Set  
in 37 CFR 1.18 at the  
Mailing of the Notice of  
Allowance

2.

Payment Enclosed:

☐

Check

☐

Money  
Order

☐

Other

## FEE CALCULATION

### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	770	201	385	Utility filing fee	770
106	340	206	170	Design filing fee	
107	530	207	265	Plant filing fee	
108	770	208	385	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$770.00)

### 2. CLAIMS

Total Claims	Extr a	Fee from below	Fee Paid
1	-20**	0	0
1	-3**	0	0
Multiple Dependent Claims (first time)		290	

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	86	202	43	Independent claims in excess of 3
104	290	204	145	Multiple dependent claim
109	86	209	43	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$0)

\*\*or number previously paid, if  
greater; For Reissues, see above

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	David Bleakman
Group Art Unit	
Examiner Name	
Attorney Docket Number	X-12149B

## FEE CALCULATION (continued)

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge-late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	420	216	210	Extension for reply within second month	
117	950	217	475	Extension for reply within third month	
118	1,480	218	740	Extension for reply within fourth month	
128	2,010	228	1,005	Extension for reply within fifth month	
119	330	219	165	Notice of Appeal	
120	330	220	165	Filing a brief in support of an appeal	
121	290	221	145	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive-unavoidable	
141	1,330	241	665	Petition to revive- unintentional	
142	1,330	242	665	Utility issue fee (or reissue)	
143	480	243	240	Design Issue Fee	
144	640	244	320	Plant Issue Fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	770	246	385	Filing a submission after final rejection (37 CFR 1.129(a))	
149	770	249	385	For each additional invention to be examined (37 CFR 1.129(b))	
179	770	279	385	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$0)

## SUBMITTED BY

Typed or Printed Name	Alexander Wilson	Complete (if applicable)	
Signature	<i>Alexander Wilson</i>	Reg. Number	45,782
		Date	08 April 2004

"Express Mail" mailing label number  
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QUEEN THOMAS  
Printed Name

*Queen Thomas*  
Signature